REMARKS

This Application has been carefully reviewed in light of the Final Office Action dated October 21, 2008 ("*Office Action*"). At the time of the *Office Action*, Claims 1, 7-23, 29-43, 45, 51-65, 67, 73-87, and 90-106 are pending and rejected. Claims 2-6, 22, 24-28, 44, 46-50, 66, 68-72, and 88-89 were previously canceled by Applicants. As described below, Applicants believe all claims to be allowable over the cited references. Therefore, Applicants respectfully request reconsideration and full allowance of all pending claims.

I. Section 103 Rejections

The Examiner rejects independent Claim 91 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,933,647 issued to Aronberg et al. ("*Aronberg*") in view of U.S. Patent No. 6,049,670 issued to Okada et al. ("*Okada*"). The Examiner rejects Claims 1, 7-13, 23, 29-35, 45, 51-57, 67, 73-79, 90, and 92-99 over *Aronberg*, *Okada*, and further in view of U.S. Patent No. 6,105,063 issued to Hayes Jr. ("*Hayes*"). The Examiner rejects Claims 14-15, 17-19, 36-37, 39-41, 58-59, 61-63, 80-81, 83-85, 100, 101, and 103-105 under 35 U.S.C. § 103(a) as being unpatentable over *Aronberg*, *Okada*, *Hayes*, and further in view of "SMS 2 Administration," SAMS, February 2000, by Lubanski ("*Lubanski*"). The Examiner rejects 20, 42, 64, 86, and 105 under 35 U.S.C. § 103(a) as being unpatentable over *Aronberg* and *Okada* and further in view of "Windows 2000 Active Directory," SAMS, February 2000, by Brovick, Hauger, and Wade ("*Brovick*"). The Examiner rejects Claims 16, 21, 38, 43, 60, 65, 82, 87, 102, and 106 under 35 U.S.C. § 103(a) as being unpatentable over *Aronberg*, *Okada*, *Hayes*, and further in view of U.S. Patent No. 5,742,829 issued to Davis et al. ("*Davis*"). Applicants respectfully traverse these rejections.

A. Claims 1, 7-21, 23, 29-43, 45, 51-65, 67, 73-87, and 90, 92-106

As stated above, independent Claims 1, 23, 45, 67, and 90 are rejected over the proposed *Aronberg-Okada-Hayes* combination. Applicants respectfully traverse these rejections.

Independent Claim 1 of the present Application recites:

> A method for managing a plurality of computers, at least one of the plurality of computers associated with a user having a user characteristic, comprising:
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> displaying, to a network administrator, a user-object data structure comprising resource information identifying a plurality of network computers in an enterprise system that are used by a selected one of a plurality of users, the plurality of enterprise computers representing all of the network computers in the enterprise system that are used by the selected user;
>
> receiving selection information from the network administrator, the selection information comprising a user characteristic associated with the selected user;
>
> receiving management information from the network administrator;
>
> identifying, as target computers to receive a modification, all of the plurality of network computers in the enterprise system that are used by the selected user;
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> selecting each of the target computers that are used by the selected user based on the selection information; and
>
> modifying each of the target computers that are used by the selected user based on the management information.

Applicants respectfully submit that the *Aronberg-Okada-Hayes* combination does not disclose, teach, or suggest the features and operations recited in at least Applicants' independent Claim 1.

For example, Applicants contend that the cited references, even when considered in combination, do not disclose, teach, or suggest the following claim elements:

- displaying, to a network administrator, a user-object data structure comprising resource information identifying a plurality of network computers in an enterprise system that are used by a selected one of a plurality of users, the plurality of enterprise computers representing all of the network computers in the enterprise system that are used by the selected user

- identifying, as target computers to receive a modification, all of the plurality of network computers in the enterprise system that are used by the selected user

Although *Aronberg* relates to "a system for distributing software in a customized configuration, to pre-selected computers in a network environment" and includes a workstation running a console for "[creating] distribution control information which dictates how the software is distributed and to what agent based workstations under a given set of conditions" (*Aronberg*, Abstract), the condition expression builder of *Aronberg* is client based rather than user based. Specifically, *Aronberg* discloses that "a condition expression builder . . . controls which computer should install the software" and that such conditions "may be based on the name **of the computer** running the agent, a group membership **of the computer** running the agent, or hard disk capacity **of the computer** running the agent." (*Aronberg*, Column 3, lines 8-14). Because the system of *Aronberg* is computer-centric rather than user-centric, *Aronberg* does not disclose, teach, or suggest ". . . identifying a plurality of network computers in an enterprise system that are used by a selected one of a plurality of users, the plurality of enterprise computers representing all of the network computers in the enterprise system that are used by the selected user," as recited in Claim 1. For analogous reasons, *Aronberg* does not disclose, teach, or suggest "identifying, as target computers to receive a modification, all of the plurality of network computers in the enterprise system that are used by the selected user," as recited in Claim 1.

The additional disclosure of *Okada* does not cure the identified deficiencies of *Aronberg*. Rather, *Okada* discloses "an on-line system in which individuals can purchase a software program through a network" that imposes on users "[l]imitations on installing and using the software program." (*Okada*, Column 1, lines 36-44). Thus, *Okada* relates to a system for tracking the sale of software to individual users over the Internet. For implementing the limitations on installing and using the software, *Okada* discloses that when a purchase of software is made a selling record is created that includes "the name of the sold software program (software name), the user identifier UID of the user who purchases the software program and the selling date of the software program." (*Okada*, Column 6, lines 34-38). In addition to the selling record, *Okada* discloses that a "user information storage unit stores user information, including a user identifier which

indicates a user to which the software program is distributed" and that a "terminal information storage unit stores terminal information, including a terminal identifier which indicates a terminal in which the software program is installed." (*Okada*, Column 2, lines 10-20; Figures 3 and 4). "Using the selling information, the host computer 11 can recognize when, by whom, and to which terminal the software program was sold and installed, to make the selling record of the software program." (*Okada*, Column 6, lines 44-48). "Therefore, it is possible to recognize which user receives the software program and which terminal the software program is installed in." (*Okada*, Column 4, lines 62-65). Thus, *Okada* merely tracks the software programs sold, the users to whom they are sold, and the terminals each software program may be used on.

According to *Okada*, "[w]hen the terminal accesses the distribution center, the managing unit 1 recognizes which terminal is now accessing the distribution center by the terminal identifier and the terminal password." (*Okada*, Column 5, lines 6-10). "If the terminal password of the terminal which is now accessing does not correspond to the terminal identifier, the managing unit 1 recognizes an illegal action at the terminal side." (*Okada*, Column 5, lines 10-13). As disclosed in *Okada*, each terminal is assigned a terminal password that "changes . . . to a new terminal password when the terminal accesses the distribution center." (*Okada*, Column 5, lines 14-16). Accordingly, "[i]f a user duplicates the software program installed in the terminal together with the terminal identifier and the terminal password, and accesses the terminal center from another terminal using the duplicated software program, the managing unit 1 recognizes an illegal action at the terminal side, because the previous terminal password is cancelled after the software distributed terminal accesses the terminal center." (*Okada*, Column 5, lines 19-26). Thus, by keeping a selling record including terminal identifiers and terminal passwords linked to specific users, the system of *Okada* prevents unauthorized copying of the software program by an individual. (*Okada*, Column 11, lines 57-61).

In the *Office Action*, the Examiner identifies that *Okada* discloses that "one user has a plurality of terminals." (*Office Action*, page 4, citing Column 7, lines 44-53). As

identified by the Examiner, "Fig. 6 [of *Okada*] shows information and by the host computer 11 when one user has a plurality of terminals." (*Okada*, Column 7, lines 30-31). Specifically, and as described above, the user information maintained after a purchase transaction includes "the user identifier UID of 01 (UID=01), the user name, information (number) of a cash card of the user, and purchase information of the software program." (*Okada*, Column 7, lines 32-35). "The purchase information shows that the user having the user identifier UID of 01 bought the software programs LOTUS-WIN, FM HISHO, LOTUS, and OASYS." (*Okada*, Column 7, lines 40-43). Although Figure 6 specifically states that "three terminals of PC98, TOWNS, and FMR, belong to the user having the user identifier UID of 01," information cannot be maintained regarding these user devices unless the user registers the individual computers or attempts to access the terminal center from an unregistered computer. (*Okada*, Column 7, lines 44-53; Column 5, lines 6-26). In the Response to Arguments section of the Office Action, the Examiner states that "no unregistered use is taught in the system [of Okada]." (*Office Action*, page 26). Applicants submit that this is false. For example, with regard to Figure 6, *Okada* stipulates that "[t]hough OASYS has been installed in the terminal type FMR, no terminal identifier MID is given to FMR because FMR has not been registered in the host computer 11." (*Okada*, Column 8, lines 1-4 (emphasis added)). Thus, it follows that the user has attempted to copy a software program (i.e., OASYS, in this example) to FMR without authorization. (*Okada*, Column 7, lines 44-53; Column 5, lines 6-26). Otherwise, there would be no way for the system of *Okada* to be aware of the FMR terminal.

For at least these reasons, Applicants respectfully submit that *Okada* does not disclose, teach, or suggest ". . . identifying a plurality of network computers in an enterprise system that are used by a selected one of a plurality of users, the plurality of enterprise computers representing all of the network computers in the enterprise system that are use by the selected user," as recited in Claim 1. First, since *Okada* indicates that information is only stored for terminals having previously accessed the software distribution system or for terminals that are registered by the user, there is no disclosure in *Okada* that the terminals of PC98, TOWNS, and FMR represent "**all** of the network

computers in the enterprise system that are used by the selected user," as recited in Claim 1. As shown above, *Okada* clearly discloses unregistered use, despite the Examiner's assertions to the contrary. For analogous reasons, *Okada* does not disclose, teach, or suggest "identifying . . . **all** of the plurality of network computers in the enterprise system that are used by the selected user," or "identifying, as target computers to receive a modification, **all** of the plurality of enterprise computers that are used by the selected user," as recited in Claim 1. Finally, *Okada* merely discloses maintaining information related to software programs previously sold. However, *Okada* does not disclose, teach, or suggest "target computers to receive a modification," as recited in Claim 1.

The proposed addition of *Hayes* to *Aronberg* and *Okada* fails to cure these deficiencies. For at least these reasons, the recited claim elements are allowable over the proposed *Aronberg-Okada-Hayes* combination.

Applicants respectfully request reconsideration and allowance of independent Claim 1, together with Claims 7-21 that depend on Claim 1. For analogous reasons, Applicants request reconsideration and allowance of independent Claims 23, 45, 67, and 90, together with Claims 29-43, 51-65, 73-87, and 92-106 that depend on Claims 23, 45, and 67, respectively.

B. Claim 91

Applicants respectfully submit that the proposed *Aronberg-Okada* combination does not disclose, teach, or suggest each and every element recited in Applicants' Claim 91.

For example, the proposed *Aronberg-Okada* combination does not disclose, teach, or suggest that the "selecting and modifying are performed when the user becomes newly associated with at least one of the target computers," as recited in Claim 91. In the *Office Action*, the Examiner relies specifically on *Aronberg* for disclosure of the recited claim elements. (*Office Action*, pages 8-9). Applicants respectfully disagree, however, with the Examiner's determination that *Aronberg* discloses "selecting and modifying are performed

when the user becomes newly associated with at least one of the target computers," as recited in Claim 91.

The first cited portion merely discloses that a "user at the administrator, i.e., console 101" sets the criteria for specifying which computers receive the application. (*Aronberg*, Column 4, lines 52-57). Thus, the cited portion only indicates that an administrator controls the distribution process. (*See also, Aronberg*, Column 4, lines 48-61). An administrator is not a new user and the administrator console is not target computer to receive the distribution. Accordingly, Column 4, lines 52-57 do not disclose, teach, or suggest "selecting and modifying are performed when the user becomes newly associated with at least one of the target computers," as recited in Claim 91. The Examiner has responded by saying that "the claim limitation in question is '...when the user becomes newly associated with at least one of the target computers.' User (admin) instead creates the association and therefore anticipates this limitation." (*Office Action*, page 27). However, this statement ignores an explicit portion of the claim limitation in question - "wherein selecting and modifying are performed when the user becomes newly associated." Even if the "User (admin)" of *Aronberg* does create the association, there is no indication that the selecting and modifying of Claim 91 occur when this association occurs.

The second cited portion of *Aronberg* discloses "a condition expression builder which controls which **computer** should install the software onto itself from the file server." (Column 3, lines 8-10). As stated above, "[t]he condition may be based on the name **of the computer** running the agent, a group membership **of the computer** running the agent, or hard disk capacity **of the computer** running the agent." (*Aronberg*, Column 3, lines 8-14). Thus, the cited portion demonstrates that *Aronberg* discloses a system that is computer-centric rather than user-centric. There is no disclosure of a user becoming newly associated with a computer. Accordingly, Column 3, lines 8-14 do not disclose, teach, or suggest "selecting and modifying are performed when the user becomes newly associated with at least one of the target computers," as recited in Claim 91.

Like the other cited portions, the third cited portion of *Aronberg* discloses "custom configuration of each workstation or group of workstations from the administrator's console." (*Aronberg*, Column 1, lines 41-45). However, as discussed above, the mere disclosure of an administrator controlling the distribution process is not analogous to Applicants' claim elements. An administrator is not a new user and the administrator console is not target computer to receive the distribution. The computer-centric distribution process of *Aronberg* allows merely allows an administrator to control which **computer** should install the software onto itself from the file server based on the name **of the computer** running the agent, a group membership **of the computer** running the agent, or hard disk capacity **of the computer** running the agent. (Column 3, lines 8-14). Accordingly, *Aronberg* and, thus, the *Aronberg-Okada* combination does not disclose, teach, or suggest that "selecting and modifying are performed when the user becomes newly associated with at least one of the target computers," as recited in Claim 91.

For at least these reasons, Applicants respectfully request reconsideration and allowance of independent Claim 91.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Luke K. Pedersen, Attorney for Applicants, at the Examiner's convenience at (214) 953-6655.

Applicants believe that no fees are due; however, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,
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